IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 7153 of 2005

Between:

M/s.Madhucon Projects Limited, Jubilee Hills,

Hyderabad-500033, rep.by its Deputy Manager

(Finance & Accounts), Mr.G.V.L.N.Sastry.

..... PETITIONER

AND

1 The Commercial tax officer, Jubilee Hills, Circle, Hyderabad.
2 The Appellate Deputy Commissioner (CT), Punjagutta Division,

Hyderabad.
3 The Additional Commissioner (CT) Legal, Andhra Pradesh,

Nampally, Hyderabad.
4 The Manager, ICICI, Bank, Khairatabad, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ of Certiorari or any other appropriate writ or order or direction quashing the notices of the 1st Respondent dated 28-3-2005 & 30-3-2005 seeking to recover disputed penalty during pendency of appeal before the 2nd respondent and stay applications before the 3rd respondent as illegal, arbitrary and unjustified and restrain the 1st respondent from taking any coercive steps for recovery of disputed penalty of Rs.9,74,02,592/-for the assessment years 2001-02 to 2004-05 till disposal of the appeals before the 2nd Respondent/revision stay applications filed before the 3rd respondent and pass such other order or orders as the Hon'ble court may deem fit and proper in the circumstances of the case.

For the Petitioner: Mr. P. Srinivasa Reddy, Adocate.
For the Respondents: GP for Commercial Tax .

The Court made the following:

ORDER: (per Sri B. Sudershan Reddy, J)

It is stated by the learned counsel for the petitioner that the cause in this writ petition does not survive requiring any further adjudication.

The Writ Petition shall accordingly stand dismissed.

(B. Sudershan Reddy, J)

12-04-2005

(C.V. Ramulu, J)

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To

1 The Commercial tax officer, Jubilee Hills, Circle, Hyderabad.
2 The Appellate Deputy Commissioner (CT), Punjagutta Division,

Hyderabad.
3 The Additional Commissioner (CT) Legal, Andhra Pradesh,

Nampally, Hyderabad.
4 The Manager, ICICI, Bank, Khairatabad, Hyderabad.

5 Two CCs to the Government Pleader for Commercial Tax, High Court

of Andhra Pradesh, Hyderabad (OUT).

6 Two CD copies.